

CITY OF SAN ANTONIO

Office of Grants Monitoring and Administration



REQUEST FOR APPLICATIONS ("RFA")

for

**FY 2010- 2011 Community Development Block Grant (CDBG) Funds
RFA 10-028**

Issued: January 25, 2010

Applications Due: March 1, 2010

This solicitation has been identified as High-Profile.

Notice Regarding Prohibition on Campaign or Officeholder Contributions for Individuals and Entities Seeking High-Profile Contracts. Under Section 2-309 of the Municipal Campaign Finance Code, the following are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded ("black out" period):

- 1 legal signatory of a high-profile contract;
- 2 any individual seeking a high-profile contract;
- 3 any owner or officer of an entity seeking a high-profile contract;
- 4 the spouse of any of these individuals;
- 5 any attorney, lobbyist or consultant retained to assist in seeking contract.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the "black out" period.

Table of Contents		
Section		Page Number
I	Background	3
II	Scope of Services	5
III	Term of Contract	6
IV	Pre-Application Conference	6
V	Application Requirements	7
VI	Amendments to RFA	9
VII	Submission of Applications	9
VIII	Restrictions on Communication	11
IX	Evaluation Criteria	12
X.	Award of Contract and Reservation of Rights	12
XI	Indemnification Requirements	14
XII	Insurance Requirements	15
XIII.	Schedule of Events	18

I. BACKGROUND

Introduction

The Community Development Block Grant (CDBG), as funded by the U.S. Department of Housing and Urban Development (HUD), provides for a wide range of community development activities directed towards neighborhood revitalization, economic development, and the provision of improved community facilities and services that benefit low- and moderate-income persons. The City of San Antonio Office of Grants Monitoring and Administration (City) administers these funds.

Through this Request for Applicants (RFA), the City seeks qualified applicants interested in partnering with the City to achieve the goals of the CDBG program. Eligible Applicants include:

- Government agencies
- Non-profit organizations
- For-profit businesses.

For FY 2010-2011, evaluation criteria and funding decisions will be guided by the following:

- A. Five Year Consolidated Plan for Fiscal Year 2005-09
- B. Meet National Objectives of CDBG Program
- C. Be considered an eligible activity per HUD Regulations
- D. Ordinance dated January 21, 2010 directing use of CDBG and HOME funds

Only projects that meet the following will be considered for CDBG funding:

- Projects that are eligible and meets one of the three broad National Objectives:
 - Principally benefits low- and moderate-income persons;
 - Prevents or eliminates slum or blight;
 - Addresses an urgent need or problem in the community.
- Projects that fit into the community priorities set out by the Five Year Consolidated Plan.
- Projects that can be completed within a reasonable time frame.
- Prior experience with CDBG related activities, and/or
- Prior experience with other grant programs or proven record carrying out similar projects in the community.
- Financial capacity as indicated by audited financial statements and banking/credit references.
- Financial stability (not total dependence on CDBG funds) as indicated by other funding sources and amounts, over time.)
- Adequate staffing (number of staff and qualifications).
- Organizational strength, including:
 - record-keeping methods;
 - filing system;
 - financial systems;
 - existence of a written procedures manual for financial management and personnel.

Applicants are encouraged to review all of these documents by accessing the Department's website located at: www.sanantonio.gov/gma. In general, the adopted priorities reflected in these documents focus on two of the CDBG Program's three national objectives. To be eligible under the City's policy and priorities, a project must either benefit low- and moderate-income persons or aid in the prevention of slum and blight. Activities that do not meet one of these two broad CDBG national objectives cannot be undertaken with CDBG funds in San Antonio.

In addition, the ordinance dated January 21, 2010 provides the Office of Grants Monitoring and Administration with the City Council's directions specific to FY 2010 funding. **Housing projects will be allocated to HOME funds while maintaining CDBG funds for community development.** However, Applicants are advised that the Department may allocate selected projects to the other funding sources available for an Eligible Activity based on the City's needs to maximize the use of the funds.

Applicants requesting funds for **public service activities** must apply under a separate Consolidated RFA through the Department of Community Initiatives. This Consolidated RFA will be released on a separate date on the following website: <http://epay.sanantonio.gov/RFAListings/>.

Applicants are also advised that in cases where the Applicant is planning on undertaking multiple activities, multiple applications will need to be submitted, e.g. Infrastructure and Down Payment Assistance are TWO applications.

National Objectives

HUD has established three national objectives for the CDBG Program. Activities funded by CDBG must meet one or more of the national objectives. They are:

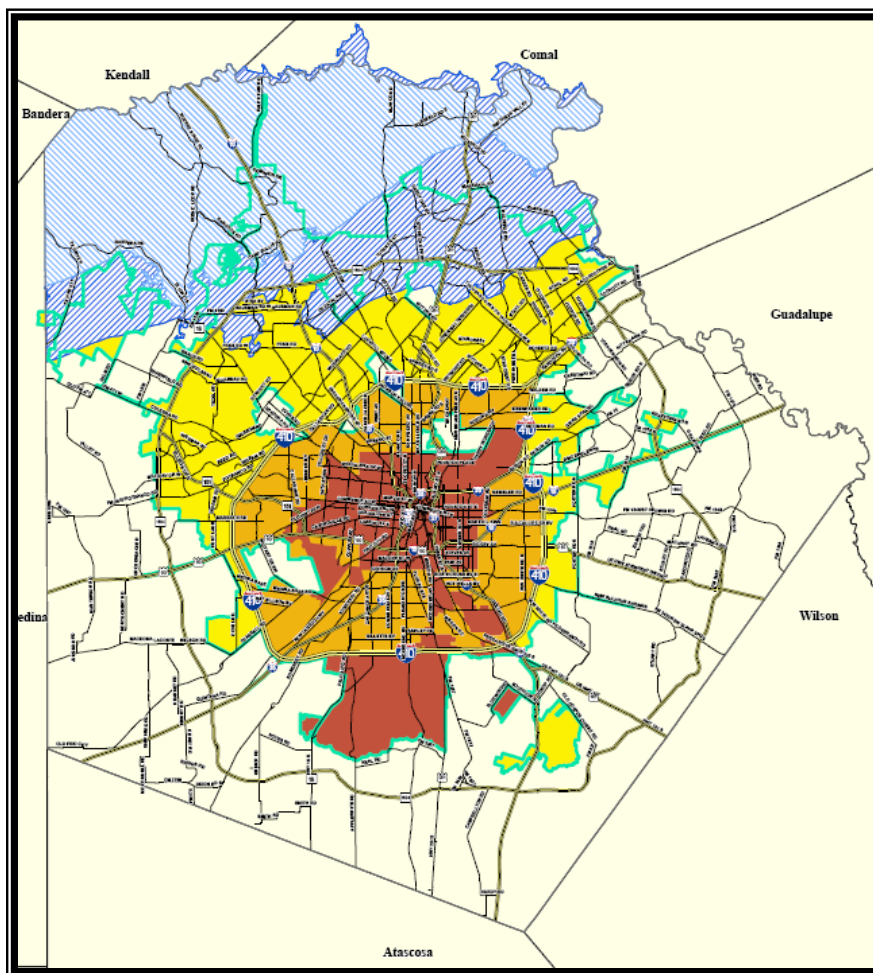
- 1) **Benefiting low- and moderate-income families and individuals** - Projects must either have income eligibility requirements that limit the benefits of that project to low- and moderate-income persons or the project must be located in an area that is predominantly inhabited by residents who are persons of low- and moderate-income.
- 2) **Prevention or elimination of slum and blight** - Projects must be designed to address the conditions causing the slum and blight. Generally, the City determines areas of slum and blight, though activities designed to remove a spot blighted condition can be considered.

Funding Priorities

CDBG funds may be used to carry out a wide range of community development activities directed towards neighborhood revitalization, economic development, and the provision of improved community facilities and services that benefit low- and moderate-income persons. For FY 10-11, the City estimates it will receive approximately \$14 million from the CDBG Program

of which up to \$2.2 million will be available through this RFA for eligible activities/programs. Please note that City Council may opt to reserve a portion of said amount to fund projects within the Infill Reinvestment Area. Under Council direction per the aforementioned Ordinance, at least 60% of CDBG funds shall be targeted toward projects that fall within the Core Target Area. (darkest red area). In addition, priority will be given to projects that address the following:

- Improvement or development of neighborhood or public facilities
- Expansion of economic development opportunities and anti-poverty activities.



All programs, services, and activities provided using HUD funds can only be provided to U.S. Citizens or legal resident aliens. Applicants may review additional information regarding the CDBG program at HUD's website located at: <http://www.hud.gov/cpd/cpdcomde.html>

II. SCOPE OF SERVICES

Per 24 CFR 570.201, CDBG funds may be used for eligible activities which include, but are not limited to:

- acquisition of real property;
- relocation and demolition;
- elimination of slum and blight and prevention of blighting influences;
- elimination of conditions detrimental to health, safety, and public;
- development and improvement of public facilities that contribute to the livability of residential areas.
- rehabilitation or construction of non-residential structures;
- improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- restoration and preservation of properties of historic significance;
- activities relating to energy conservation and renewable energy resources; and
- stimulation of economic growth, development, and employment opportunities, which will principally benefit persons of low and moderate-income.

Ineligible activities are those in which CDBG funds **may not** be used:

- Buildings for the general conduct of government are ineligible. However, the removal of architectural barriers from government buildings is eligible under the category of public facilities and improvements.
- General government expenses are ineligible.
- Financing for political activities or to engage in other partisan political activities are ineligible. However, a facility assisted with CDBG funds may be used on an incidental basis to hold political meetings, candidate forums, or voter registration campaigns, if the building is available to all community organizations on an equal basis.
- Purchase of equipment is generally ineligible.
- Purchase of personal property, including equipment, fixtures, motor vehicles, furnishings, or other personal property is generally ineligible.
- Operating and maintenance expenses (of public facilities, improvements, and services) are ineligible.
- New housing construction except under certain conditions or when carried out by a Community-Based Development Organization.
- Income payments made to an individual or family for items such as food, clothing, housing, or utilities are ineligible.
- One time grants, emergency type grants, or loans for such purposes may be eligible under the category of Public Services.

III. TERM OF CONTRACT

Contracts awarded in response to this Application will typically be for a term of 12 to 24 months commencing no sooner than October 1, 2010.

IV. PRE-APPLICATION CONFERENCES

Two separate Pre-Application Conferences, to answer questions and provide technical assistance, will be held on the following dates, times, and locations:

Thursday, February 11 and Thursday, February 18, 2010
1:00 p.m. to 3:00 p.m.
Office of Grants Monitoring and Administration – HNSD Main Conference Room
1400 South Flores
San Antonio, TX 78204

Applicants are encouraged to prepare and submit their questions in writing three (3) calendar days in advance of the Pre-Application Conference in order to expedite the proceedings. City's responses to questions received by this due date may be distributed at the Pre-Application Conference and posted on the City's website at <http://epay.sanantonio.gov/RFAListings/>. Attendance at the Pre-Application Conference is optional, but highly recommended.

This meeting place is accessible to disabled persons. The building is wheelchair accessible. The accessible entrance is located at 1400 S. Flores. Accessible parking spaces are located at the same address. Auxiliary aids and services are available upon request. Interpreters for the Deaf must be requested at least 48 hours prior to the meeting. For assistance, call (210) 207-7245 Voice/TTY.

Any oral responses provided by City staff at the Pre-Application Conference shall be preliminary. A written summary of the Pre-Application Conference shall contain official responses, if any. Any oral response given at the Pre-Application Conference that is not confirmed in the written summary of the Pre-Application Conference or by a subsequent addendum shall not be official or binding on the City. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the City shall not be binding on the City. Applicants are encouraged to resubmit their questions in writing, to the City Staff person identified in Section VIII – Restrictions on Communication, after the conclusion of the Pre-Application Conference.

V. APPLICATION REQUIREMENTS

Applicant's Application shall include the following items in the following sequence, tabbed and noted with the appropriate heading as indicated below.

	Tab	Document
		Application Form
		I. Applicant Information II. General Project Information III. Project Summary IV. Project Budget V. Timeline VI. Project Specific Information (Complete only one section.) VII. Discretionary Contract Disclosure * VIII. Litigation Disclosure IX. Signature Page*, if required, Resolution authorizing the signatory to submit the application and execute a funding contract, if awarded. X. All Addendums, if any issued, for this RFA *
	Exhibit A	<u>Applicant Information</u> 1. Non-Profit determination letter 2. Articles of Incorporation 3. By-Laws 4. Program Brochure 5. Board of Directors list 6. Policies and Procedures Manual 7. Resumes 8. Organizational Chart 9. Inter-Agency Commitment Letters 10. Letter of Community Support
	Exhibit B	<u>General Project Information</u> 1. Marketing Plan 2. Target Map
	Exhibit C	<u>Project Budget</u> 1. Project Funding Commitment Letter(s)
	Exhibit D	<u>Funding Category Specific Information</u> Category A: 1. Copy of Deed 2. Tax Payment History 3. Property Insurance Category B: 1. Copy of Deed 2. Tax Payment History 3. Property Insurance

****Documents marked with an asterisk on this list require a signature.***

Applicant is expected to examine this RFA carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THESE APPLICATION REQUIREMENTS MAY RESULT IN THE APPLICANT'S APPLICATION BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.

VI. AMENDMENTS TO RFA

Amendments to the RFA, including written responses to questions received in compliance with Section VIII, Restrictions on Communication, may be posted as addendums on the City's website at <http://epay.sanantonio.gov/RPAListings/>. It is Applicant's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a Application. An Applicant who does not have access to the Internet, must notify City in accordance with Section VIII, Restrictions on Communication, that Applicant wishes to receive copies of addendums by mail or fax.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFA, and changes to the RFA – if any – shall be made in writing only.

VII. SUBMISSION OF APPLICATIONS

- A. Applicant shall submit: One (1) original, signed in ink, and four (4) copies of the Application, and one (1) compact disk (CD) containing an Adobe PDF version of the entire Application. Applicant shall submit these items in a sealed package, clearly marked on the front of the package:

FY 2010-2011 CDBG Funding Application.

- B. All Applications must be received in the City Clerk's Office no later than **2:00 p.m., Local Time, on Monday, March 1, 2010** at the address below. Applications submitted prior to the above time and date may be modified provided such modifications are sealed and received by the City Clerk's Office prior to the time and date set for submission of Applications. Any Application or modification received after this time shall not be considered, and will be returned, unopened to the Applicant. Applicants should note that delivery to the P.O. Box address in a timely manner does not guarantee its receipt in the City Clerk's Office by the deadline for submission. Therefore, Applicants should strive for early submission to avoid the possibility of rejection for late arrival.

Mailing Address:

City Clerk's Office, Attn: Office of Grants Monitoring and Administration
P.O. Box 839966
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: Office of Grants Monitoring and Administration
100 Military Plaza
2nd Floor, City Hall
San Antonio, Texas 78205

Applications sent by facsimile or email will not be accepted.

- C. Application Format: Each Application, including all Exhibits, shall be typewritten and submitted on 8 ½" x 11" white paper. Font size shall be no less than 12-point type. All pages shall be printed on one side only. Margins shall be no less than 1" around the perimeter of each page. Each page shall be numbered. Applicants shall submit the original and each copy separately in identical, three-ring binders no larger than one and one-half inches. Each three-ring binder should be clearly labeled on the front with:

FY 2010-2011 CDBG Funding Application

Applicant Name: *[Insert Name]*

Project Name: *[Insert Name]*

Funding Request Amount: *[\$[Insert Amount]*

[Insert either Original or Copy ___ of 4, as appropriate]

Electronic files, websites, or URLs shall not be submitted in lieu of the printed Application. Each Application must include the sections and attachments in the sequence listed in the RFA Section V, Application Requirements, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the Application or may negatively affect scoring.

- C. Applicants who submit Applications to this RFA shall correctly state the true and correct name of the individual, proprietorship, corporation, and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Applicants and limited liability company Applicants shall include the 11-digit Comptroller's Taxpayer Number in the Application Form.
- D. If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the General Information form, the Director of the Office of Grants Monitoring and Administration shall have the discretion, at any point in the contracting process, to suspend consideration of the Application. All provisions in Applicant's Application, including any estimated or projected costs, shall remain valid for ninety (90) days following the deadline date for submissions or, if a Application is accepted, throughout the entire term of the contract.
- E. All Applications become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Applicant should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Applicant may not be considered confidential under Texas law, or pursuant to a Court order.

- F. Any cost or expense incurred by the Applicant that is associated with the preparation of the Application, the Pre-Application conference, if any, or during any phase of the selection process, shall be borne solely by Applicant.

VIII. RESTRICTIONS ON COMMUNICATION

- A. Applicants are prohibited from communicating with: 1) elected City officials and their staff regarding the RFA or Applications from the time the RFA has been released until the contract is posted as a City Council agenda item; and 2) City employees from the time the RFA has been released until the contract is awarded. These restrictions extend to “thank you” letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFA and/or Application submitted by Applicant. Violation of this provision by Applicant and/or its agent may lead to disqualification of Applicant’s Application from consideration.

Exceptions to the Restrictions on Communication with City employees include:

1. Applicants may ask verbal questions concerning this RFA at the Pre-Application Conference.
2. Applicants may submit written questions concerning this RFA to the Staff Contact Person listed below until **3:00 p.m., Local Time, on February 22, 2010**. Questions received after the stated deadline will not be answered. It is suggested that all questions be sent by email or by fax to:

Jennifer Wood, Contract Coordinator
 City of San Antonio, Purchasing and General Services Department
Jennifer.Wood@sanantonio.gov or to fax # (210) 207-7814

However, questions sent by mail will also be accepted and should be addressed to:

Jennifer Wood, Contract Coordinator
 City of San Antonio, Purchasing and General Services Department
 P.O. Box 839966
 San Antonio, TX 78283-3966

If submitting questions by mail, it is recommended to send as certified mail, return receipt requested.

Questions submitted and the City’s responses will be posted in the form of an Addendum to the City's web site at <http://epay.sanantonio.gov/RFAListings/>.

3. Applicants may provide responses to questions asked of them by the Staff Contact Person after responses are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, Applicants shall not bring

lobbyists. The City reserves the right to exclude any persons from interviews as it deems in its best interests.

- B. City reserves the right to contact any Applicant to negotiate if such is deemed desirable by City. Such negotiations, initiated by City staff persons, shall not be considered a violation by Applicant of this section.

IX. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all Applications received in response to this RFA. The City may appoint a selection committee to perform the evaluation. Each Application will be analyzed to determine overall responsiveness and qualifications under the RFA. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Applicants for interviews. If the City elects to conduct interviews, Applicants may be interviewed and re-scored based upon the same criteria. The City may also request additional information from Applicants at any time prior to final approval of a selected Applicant. The City reserves the right to select one, or more, or none of the Applicants to provide services. Final approval of a selected Applicant is subject to the action of the City of San Antonio City Council. The Evaluation criteria include:

1. Experience, Background, Qualifications – 35 points
2. Proposed Project Plan – 30 points
3. Budget – 20 points
4. Timeliness – 5 points
5. Project Specific Information – 10 points

X. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

- A. City reserves the right to award one, more than one or no contract(s) in response to this RFA.
- B. The Contract, if awarded, will be awarded to the Applicant(s) whose Application(s) is deemed most advantageous to City, as determined by the selection committee, upon approval of the City Council.
- C. City may accept any Application in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFA on the part of City. However, final selection of an Applicant is subject to City Council approval.
- D. City reserves the right to accept one or more Applications or reject any or all Applications received in response to this RFA, and to waive informalities and irregularities in the Applications received. City also reserves the right to terminate this RFA, and reissue a subsequent solicitation, and/or remedy technical errors in the RFA process.

- E. Contract award for selected Applicant(s) **may** be held on Thursday, May 20, 2010 in the City Council Chambers. Contract negotiations will be conducted from May 24, 2010 through September 1, 2010. The City will require the selected Applicant(s) to submit acceptable detailed performance indicators and all other required elements of the Contract(s) and agreements. These elements must be finalized by September 1, 2010 in order to facilitate their execution by September 30, 2010. The Director of Grants Monitoring and Administration is authorized and directed to automatically cancel and move the full budget allocation provided to any project, including City Administration Projects, for which acceptable program description(s), performance indicators and all other required contractual elements have not been received and approved by September 1, 2010, to the CDBG/HOME Contingency Account in preparation for timely reprogramming to other eligible activities. Additionally, the Director of Grants, Monitoring, and Administration is authorized to cancel and reprogram any and all budget allocations provided to any project, in the event, any sub-grantee contract and/or interdepartmental agreement is not executed by November 30, 2010.
- F. This RFA does not commit City to enter into a Contract, award any services related to this RFA, nor does it obligate City to pay any costs incurred in preparation or submission of a Application or in anticipation of a contract.
- G. If selected, Applicant will be required to comply with the Insurance and Indemnification Requirements established herein.
- H. The successful Applicant must be able to formally invoice the City for services rendered, incorporating the SAP-generated contract and purchase order numbers that shall be provided by the City.
- I. Conflicts of Interest. Applicant acknowledges that it is informed that the Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency such as City-owned utilities. An officer or employee has a “prohibited financial interest” in a contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a subcontractor on a City contract, a partner or a parent or subsidiary business entity.

Applicant is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City, as defined in Section 2-42 of the City’s Ethics Code. (Discretionary Contracts Disclosure – form may be found online at <https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.)

- J. Independent Contractor. Applicant agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, are and shall be deemed to be an independent contractors, responsible for their respective acts or omissions, and that

City shall in no way be responsible for Applicant's actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.

- K. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with the City, shall file a completed conflict of interest questionnaire with the City Clerk not later than the 7th business day after the date the person: (1) begins contract discussions or negotiations with the City; or (2) submits to the City an application, response to a Request for Application or bids, correspondence, or another writing related to a potential agreement with the City. The conflict of interest questionnaire form is available from the Texas Ethics Commission at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of the City Clerk. If mailing a completed conflict of interest questionnaire, mail to: Office of the City Clerk, P.O. Box 839966, San Antonio, TX 78283-3966. If delivering a completed conflict of interest questionnaire, deliver to: Office of the City Clerk, City Hall, 2nd floor, 100 Military Plaza, San Antonio, TX 78205. Applicant should consult its own legal advisor for answers to questions regarding the statute or form.

XI. INDEMNIFICATION REQUIREMENTS

If selected to provide the services described in this RFA, Applicant shall be required to comply with the indemnification requirements set forth below:

INDEMNIFICATION

APPLICANT covenants and agrees to FULLY INDEMNIFY, DEFEND and HOLD HARMLESS, the CITY and the elected officials, employees, officers, directors, volunteers and representatives of the CITY, individually and collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the CITY directly or indirectly arising out of, resulting from or related to APPLICANT'S activities under this Agreement, including any acts or omissions of APPLICANT, any agent, officer, director, representative, employee, consultant or subcontractor of APPLICANT, and their respective officers, agents employees, directors and representatives while in the exercise of the rights or performance of the duties under this Agreement. The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of CITY, it s officers or employees, in instances where such negligence causes personal injury, death, or property damage. IN THE EVENT APPLICANT AND CITY ARE FOUND JOINTLY LIABLE BY A COURT OF COMPETENT JURISDICTION, LIABILITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS FOR THE STATE OF TEXAS, WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW.

The provisions of this INDEMNITY are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. APPLICANT shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or APPLICANT known to APPLICANT related to or arising out of APPLICANT's activities under this AGREEMENT and shall see to the investigation and defense of such claim or demand at APPLICANT's cost. The CITY shall have the right, at its option and at its own expense, to participate in such defense without relieving APPLICANT of any of its obligations under this paragraph.

Defense Counsel - CITY shall have the right to select or to approve defense counsel to be retained by APPLICANT in fulfilling its obligation hereunder to defend and indemnify CITY, unless such right is expressly waived by CITY in writing. APPLICANT shall retain CITY approved defense counsel within seven (7) business days of CITY'S written notice that CITY is invoking its right to indemnification under this Contract. If APPLICANT fails to retain Counsel within such time period, CITY shall have the right to retain defense counsel on its own behalf, and APPLICANT shall be liable for all costs incurred by CITY. CITY shall also have the right, at its option, to be represented by advisory counsel of its own selection and at its own expense, without waiving the foregoing.

XII. INSURANCE REQUIREMENTS

If selected to provide the services described in this RFA, Applicant shall be required to comply with the insurance requirements set forth below:

INSURANCE

- A) Prior to the commencement of any work under this Agreement, Applicant shall furnish copies of all required endorsements and an original completed Certificate(s) of Insurance to the City's **Office of Grants Monitoring and Administration** which shall be clearly labeled "FY 2010-2011 Community Development Block Grant (CDBG) Funds" in the Description of Operations block of the Certificate. The original Certificate(s) shall be completed by an agent and signed by a person authorized by that insurer to bind coverage on its behalf. The City will not accept Memorandum of Insurance or Binders as proof of insurance. The original certificate(s) or form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed, with copies of all applicable endorsements, directly from the insurer's authorized representative to the City. The City shall have no duty to pay or perform under this Agreement until such certificate and endorsements have been received and approved by the City's Office of Grants Monitoring and Administration. No officer or employee, other than the City's Risk Manager, shall have authority to waive this requirement.
- B) The City reserves the right to review the insurance requirements of this Article during the effective period of this Agreement and any extension or renewal hereof and to modify

insurance coverages and their limits when deemed necessary and prudent by City's Risk Manager based upon changes in statutory law, court decisions, or circumstances surrounding this Agreement. In no instance will City allow modification whereupon City may incur increased risk.

- C) A Applicant's financial integrity is of interest to the City; therefore, subject to Applicant's right to maintain reasonable deductibles in such amounts as are approved by the City, Applicant shall obtain and maintain in full force and effect for the duration of this Agreement, and any extension hereof, at Applicant's sole expense, insurance coverage written on an occurrence basis, by companies authorized and admitted to do business in the State of Texas and with an A.M Best's rating of no less than A- (VII), in the following types and for an amount not less than the amount listed below:

Based on the type of project being applied for, City will insert types and amounts of insurance coverages to be required here prior to issuing contracts to selected Applicants. Below are the standard requirements:

<u>TYPE</u>	<u>AMOUNTS</u>
1. Workers' Compensation	Statutory
2. Employers' Liability	\$500,000/\$500,000/\$500,000
3. Broad form Commercial General Liability Insurance to include coverage for the following: a. Premises operations b. Independent Contractors c. Products/completed operations d. Personal Injury e. Contractual Liability f. Sexual Abuse/Molestation* g. Damage to property rented by you *If Applicable	For <u>Bodily Injury</u> and <u>Property Damage</u> of \$1,000,000 per occurrence; \$2,000,000 General Aggregate, or its equivalent in Umbrella or Excess Liability Coverage \$100,000
4. Business Automobile Liability a. Owned/leased vehicles b. Non-owned vehicles c. Hired Vehicles	<u>Combined Single Limit</u> for <u>Bodily Injury</u> and <u>Property Damage</u> of \$1,000,000 per occurrence; \$5,000,000 General Aggregate, or its equivalent in Umbrella or Excess Liability Coverage

- D) The City shall be entitled, upon request and without expense, to receive copies of the

policies, declaration page and all endorsements thereto as they apply to the limits required by the City, and may require the deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). Applicant shall be required to comply with any such requests and shall submit a copy of the replacement certificate of insurance to City at the address provided below within 10 days of the requested change. Applicant shall pay any costs incurred resulting from said changes.

City of San Antonio
Attn: **Office of Grants Monitoring and Administration**
P.O. Box 839966
San Antonio, Texas 78283-3966

- E) Applicant agrees that with respect to the above required insurance, all insurance policies are to contain or be endorsed to contain the following provisions:
- Name the City, its officers, officials, employees, volunteers, and elected representatives as additional insured by endorsement, as respects operations and activities of, or on behalf of, the named insured performed under contract with the City, with the exception of the workers' compensation and professional liability policies;
 - Provide for an endorsement that the "other insurance" clause shall not apply to the City of San Antonio where the City is an additional insured shown on the policy;
 - Workers' compensation and employers' liability policies will provide a waiver of subrogation in favor of the City.
 - Provide thirty (30) calendar days advance written notice directly to City of any suspension, cancellation, non-renewal or material change in coverage, and not less than ten (10) calendar days advance notice for nonpayment of premium.
- F) Within five (5) calendar days of a suspension, cancellation or non-renewal of coverage, Applicant shall provide a replacement Certificate of Insurance and applicable endorsements to City. City shall have the option to suspend Applicant's performance should there be a lapse in coverage at any time during this Agreement. Failure to provide and to maintain the required insurance shall constitute a material breach of this Agreement.
- G) In addition to any other remedies the City may have upon Applicant's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the City shall have the right to order Applicant to stop work hereunder, and/or withhold any payment(s) which become due to Applicant hereunder until Applicant demonstrates compliance with the requirements hereof.
- H) Nothing herein contained shall be construed as limiting in any way the extent to which Applicant may be held responsible for payments of damages to persons or property resulting

from Applicant's or its subcontractors' performance of the work covered under this Agreement.

- I) It is agreed that Applicant's insurance shall be deemed primary and non-contributory with respect to any insurance or self insurance carried by the City of San Antonio for liability arising out of operations under this Agreement.
- J) It is understood and agreed that the insurance required is in addition to and separate from any other obligation contained in this Agreement.
- K) Applicant and any Subcontractors are responsible for all damage to their own equipment and/or property.

XIII. SCHEDULE OF EVENTS

Following is a list of **projected dates** with respect to this RFA:

RFA Release Date	January 25, 2010
1 st Pre-Application Conference	February 11, 2010
2 nd Pre-Application Conference	February 18, 2010
Final Questions Accepted	February 22, 2010
Applications Due	March 1, 2010
1st City-wide Public Hearing	March 11, 2010
Advertising of Funding Recommendations	April 12, 2010
2nd Citywide Public Hearing	May 13, 2010
FY 2010-2011 Consolidated Plan/Budget Adoption	May 20, 2010

THE DOCUMENTS THAT FOLLOW ARE FORMS THAT MUST BE COMPLETED BY APPLICANT AND INCLUDED WITH APPLICANT'S APPLICATION. ATTACH THESE DOCUMENTS TO YOUR APPLICATION IN THE ORDER INDICATED IN RFA SECTION V, WHICH IS ENTITLED "APPLICATION REQUIREMENTS".

FY 2010-2011 CDBG APPLICATION FORM

Applicant must complete this FY 2010-2011 CDBG Application Form in conjunction with the FY 2010-2011 CDBG RFA.

Use the following list to ensure that all required documents have been included in the Application and that they are properly tabbed and in the correct order.

	Tab	Document
		Application Form
		I. Applicant Information II. General Project Information III. Project Summary IV. Project Budget V. Timeline VI. Project Specific Information (Complete only one section.) VII. Signature Page * and, if required, Resolution authorizing the signatory to submit the application and execute a funding contract, if awarded VIII. Discretionary Contract Disclosure * IX. Litigation Disclosure
	Exhibit A	<u>Applicant Information</u> 1) Non-Profit determination letter 2) Articles of Incorporation 3) By-Laws 4) Program Brochure 5) Board of Directors list 6) Current Audit and Form 990 7) Policies and Procedures Manual 8) Resumes 9) Organizational Chart 10) Inter-Agency Commitment Letters 11) Letter of Community Support
	Exhibit B	<u>General Project Information</u> 1) Marketing Plan 2) Target Map
	Exhibit C	<u>Project Budget</u> 1. Project Funding Commitment Letter(s)
	Exhibit D	<u>Funding Category Specific Information</u> Category A: 1) Copy of Deed 2) Tax Payment History 3) Property Insurance Category B: 1. Copy of Deed 2. Tax Payment History 3. Property Insurance

**Documents marked with an asterisk on this list require a signature.*

I. APPLICANT INFORMATION**A. Contact information:**

1. Provide the requested information for the person to whom the City should address correspondence and/or direct questions regarding this Application.

Name of Applicant: _____

Address: mailing _____

physical _____

Phone: _____

Fax: _____

Contact Person: _____

E-mail: _____

2. Provide the requested information for the person who will have authority to sign a funding contract if awarded pursuant to the Application. Signatory authority must be with either the Chief Executive Officer (Executive Director/President) or Chief Volunteer Officer (Board President).

Name of Applicant: _____

Address: mailing _____

physical _____

Phone: _____

Fax: _____

Contact Person: _____

E-mail: _____

B. Type of Applicant:**1. Status**

☐ Non-Profit ☐ For-Profit ☐ Other Please specify: _____

If Non-Profit, check source of exemption:

☐ IRS Section 501(a) ☐ IRS Section 501(c)(3)
☐ IRS Section 501(c)(4) ☐ IRS 456

Please provide letter of Non-Profit Determination as Exhibit A-1

Date source of exemption received (mm/dd/yy): _____

Date Incorporated (mm/dd/yy): _____ *Please provide Articles of Incorporation as Exhibit A-2 and By-laws as Exhibit A-3*

2. Business Identification

Federal Employer Identification Number (9-digits): _____

DUNS # (if one has already been assigned): _____

Is Applicant authorized and/or licensed to do business in Texas? Yes ☐ No ☐

If yes, please provide Texas Comptroller's Taxpayer Number (11-digits): _____

(Required from corporations and limited liability corporations only.)

C. Organizational Background

1. Number of years in operation? _____

2. How many years has Applicant been successfully performing the specific activities related to this RFA? _____

3. How many years experience does agency have with CDBG funds? _____

4. How many years experience with other federal, state or private funding? _____

5. Applicant Prior Funding: *Provide requested information for any federal funds received through the City of San Antonio, State of Texas or any other entity for the last three years.*

YEAR	PROJECT NAME	FUND TYPE	BUDGETED AMOUNT	AMOUNT EXPENDED TO DATE	TOTAL CLIENTS/UNITS COMPLETED
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	

			\$	\$	
--	--	--	----	----	--

6. What is the purpose/mission of your agency?

7. What are the types of services provided? *Please provide pamphlet or brochure for your program as Exhibit A-4.*

8. Please list types of clients/population your agency serves:

9. Does Applicant have authorized board support to proceed with this project?

Yes ☐ **No** ☐

Please provide Copy of Names and Addresses of Current Board of Director as Exhibit A-5.

10. Does Applicant anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months that may affect the Agency's ability to carry out its proposal?

Yes ☐ **No** ☐

11. Indicate at what frequency financial records are reconciled.

Monthly ☐ Quarterly ☐

Bi-annually ☐ Annually ☐

12. Are accounting/financial reconciliations written and reviewed by an independent person?

Yes ☐ **No** ☐

13. Does Applicant execute an independent audit on a yearly basis? *Please provide a copy of your most recent audit and Form 990 as Exhibit A-6.*

Yes ☐

No ☐

14. Does your agency have written Personnel Policies?

Yes ☐

No ☐

15. Does your program have written policies/procedures in place to address compliance with the following Federal and Local requirements for:

Affirmative Marketing ☐ Yes ☐ No

Fair Housing ☐ Yes ☐ No

SMWBE/HUB ☐ Yes ☐ No

Procurement Method ☐ Yes ☐ No

SBEDA ☐ Yes ☐ No

Section 3 ☐ Yes ☐ No

If yes to any and/or all of the above, attach a copy of agency policies/procedures in Exhibit A-7.

D. Staff Capacity:

- List the name, position, role and years of experience of each key/relevant staff member associated with this project. *Please attach resumes (A-8) of each staff member listed below and an organizational chart, (A-9).*

Name	Position	Role	Years Experience

- Has the Applicant or any of its principals been debarred or suspended from contracting with any public entity? Yes ☐ No ☐

If yes, identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension.

3. Has Applicant or any of its principals ever had a bond or surety canceled or forfeited?
Yes ☐ **No** ☐

If yes, state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.

4. Has Applicant or any of its principals ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?
Yes ☐ **No** ☐

If yes, state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

5. Provide any other names under which Applicant has operated within the last 10 years.

6. Has the Applicant ever received any disciplinary action, or any pending disciplinary action, from any regulatory bodies or professional organizations? If “Yes”, state the name of the regulatory body or professional organization, date and reason for disciplinary or impending disciplinary action.

E. Collaborative and Partnerships

1. Is this project in conjunction with other agencies in delivering the proposed service?

Yes ☐No ☐

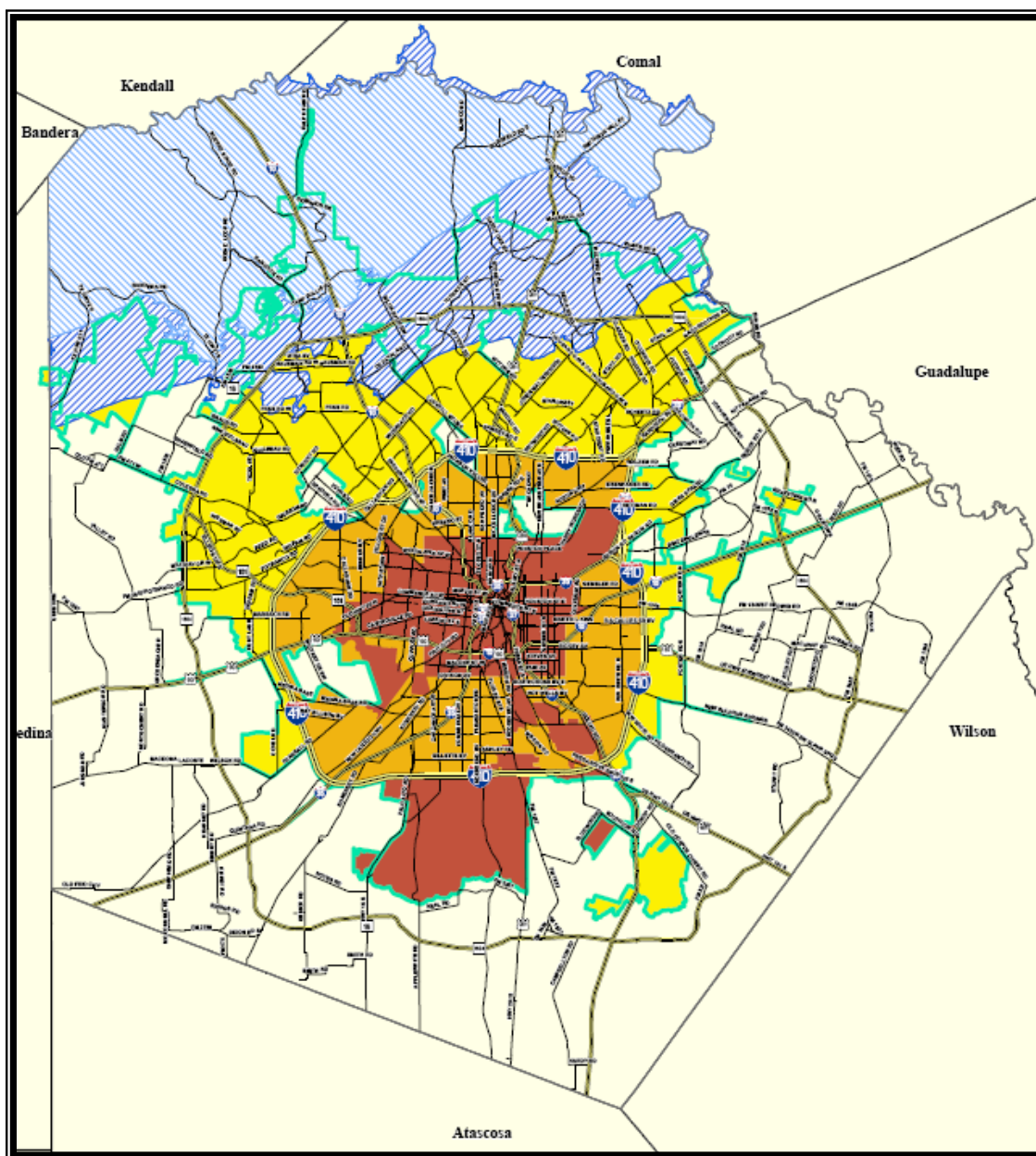
If yes, provide inter-agency commitment letters as Exhibit A-10.

2. Does this project address any local plans and policies as they relate to applicable City, County, community, and/or neighborhood association plan (i.e. land use, goals, or policies)? *If yes, please explain below.*

Yes ☐No ☐

3. Does this project fall within the **Infill Reinvestment Area** as outlined in the Reinvestment Policy?

Red Core Target AreaYes ☐No ☐**Orange Periphery**Yes ☐No ☐**Yellow Suburban**Yes ☐No ☐



4. Has the applicant undertaken any neighborhood coordination efforts either in the preparation or future course of this project? *If yes, please explain below.*

Yes ☐

No ☐

5. Has the applicant received any letters of support from the community or community leaders?

Yes ☐

No ☐

If yes, provide copies as Exhibit A-11.

II. GENERAL PROJECT INFORMATION

Name of Project: _____

A. Funding Category and Project Type: *Please check only one.*

- ☐ A. Improvement or development of neighborhood or public facilities
- ☐ B. Expansion of economic development opportunities and anti-poverty activities
- ☐ C. Other *Please explain*

B. National Objectives: *Choose one (1) of the following National Objectives that best describes the program/project proposed.*

- ☐ 1) **Benefiting low- and moderate-income families and individuals** - Projects must either have income eligibility requirements that limit the benefits of that project to low- and moderate-income persons or the project must be located in an area that is predominantly inhabited by residents who are persons of low- and moderate-income.
- ☐ 2) **Prevention or elimination of slum and blight** - Projects must be designed to address the conditions causing the slum and blight. Generally, the City determines areas of slum and blight, though activities designed to remove a spot blighted condition can be considered.

C. Performance Measures: *Please identify how the project's specific objectives are tied to the following Federal objectives and outcomes for reporting purposes.*

The Outcome Performance Measurement System offers three possible objectives for each activity:

1. ☐ **Creating Suitable Living Environments** relates to activities that are designed to benefit communities, families or individuals by addressing issues in their living environment. This objective relates to activities that are intended to address a wide range of issues faced by low-and moderate-income persons from physical problems

with their environment, such as poor quality infrastructure, to social issues such as crime prevention, literacy, or elderly health services.

2. ☐ **Providing Decent Housing** covers the wide range of housing activities that are generally undertaken with HOME, CDBG or HOPWA funds. This objective focuses on housing activities whose purpose is to meet individual family or community housing needs. It does not include programs where housing is an element of a larger effort to make community-wide improvements, since such would be more appropriately reported under Suitable Living Environments.
3. ☐ **Creating Economic Opportunities** applies to activities related to economic development, commercial revitalization, or job creation.

Similarly, the Outcome Performance Measurement System offers three possible outcomes for each activity. Please select one:

1. ☐ **Availability/Accessibility** applies to activities that make services, infrastructure, public services, public facilities, housing or shelter available or accessible to low- and moderate-income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low- and moderate-income people where they live.
2. ☐ **Affordability** applies to activities that provide affordability in a variety of ways in the lives of low- and moderate-income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or daycare. Affordability is an appropriate objective whenever an activity is lowering the cost, improving the quality or increasing the affordability of a product or service to benefit a low-income household.
3. ☐ **Sustainability: Promoting Livable or Viable Communities** applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low- and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

D. Project Beneficiaries

1. Please provide the number of individuals to be assisted through the proposed project in a given year for each income level (AMI – Area Median income):

30% or below of AMI:.....	_____
31%-50% of AMI:.....	_____
51%-60% of AMI:.....	_____
61%-80% of AMI:.....	_____

2. Indicate the method/definition of 'INCOME' used to qualify all participants in the program/project:

- ☐ 24 CFR Part 5 (Section 8)
☐ Census Long Form Annual Income
☐ IRS Form 1040 Adjusted Gross Income

3. Indicate any Special Populations your program will serve:

- | | |
|--|--|
| <input type="checkbox"/> Elderly | <input type="checkbox"/> Persons in Alcohol and Drug Recovery |
| <input type="checkbox"/> Homeless | <input type="checkbox"/> Disabled (physical, developmental, psychiatric) |
| <input type="checkbox"/> Persons with HIV/AIDS | <input type="checkbox"/> Victims of Domestic Violence |

4. If you serve a Special Population, does your program have a written Marketing Plan to ensure appropriate outreach to the target population? ☐ Yes ☐ No

If yes, attach a copy of Marketing Plan in Exhibit B-1.

- E. Target Area:** If proposing to serve a specific area, please describe that area for your project. Include information such as Council Districts, street boundaries. *Please provide a site location/target area map as Exhibit B-2.*

--

If proposing a project as an **Area Benefit** activity, define the service area in the chart below. *Please use the first link provided to look up census tracts and block groups served by your project. Use the second link to determine the percentage of residents in the identified areas who are considered low-moderate income.*

1. http://factfinder.census.gov/servlet/AGSGeoAddressServlet?_lang=en&_program=Year=50&_treeId=420
2. <http://www.ffiec.gov/census/report.aspx?year=2009&state=48&report=demographic&msa=41700>

Census Tract	Block Group	% of Low/Moderate Population (% Below Poverty Line)
	TOTAL	

III. PROJECT SUMMARY

- A. Project Description** - Provide a brief description of Applicant's project. The response should include a brief history, goals, objectives, project beneficiaries, and community impact or need/problem being addressed.

- B. Scope of Work** - Describe the specific work to be performed and activities to be completed to achieve the project's goals. Include information specific to the project components for which funding is sought through this application.

IV. PROJECT BUDGET

A. Amount of CDBG Funding Requested: \$_____

Estimated Total Project Cost: \$_____

Please provide the following:

(CDBG funds requested: _____ / Total project cost: _____) * 100 = _____% CDBG Requested

B. Project Funding Sources:

<u>Funding Source</u>	<u>Funding Amount</u>	<u>Funding Status (Enter Applied, Pending or Committed)</u>
1.	\$	
2.	\$	
3.	\$	
4.	\$	
5.	\$	
6.	\$	
7.	\$	
8.	\$	
TOTAL	\$	

For all funding listed as "Committed", attach written financial commitment letter(s) in Exhibit C-1.

C. Project Expenditures - Complete the table on the following two pages and identify all project expenditures related to the proposed project. If a specific line item of the budget is not identified on the table, utilize one of the line items identified as ‘Other’ and add the applicable line item. Do not add additional lines to the table. If the expenditures require more line items than identified on the table, consolidate multiple line items into a single response under an “Other” line item. Do not attach any additional pages to support the response.

EXPENDITURE CATEGORIES		Total Project Expense	Other Funding Sources	CDBG Funding Request
ADMINISTRATIVE COSTS				
1	Salaries	\$	\$	\$
2	FICA	\$	\$	\$
3	Worker’s Compensation	\$	\$	\$
4	TEC	\$	\$	\$
5	Health Insurance Benefits	\$	\$	\$
6	Retirement Benefits	\$	\$	\$
7	Audit	\$	\$	\$
8	Consultants/Contract Labor	\$	\$	\$
9	Dues and Membership	\$	\$	\$
10	Insurance, Bond	\$	\$	\$
11	Insurance, Liability	\$	\$	\$
12	Legal Fees	\$	\$	\$
13	Maintenance	\$	\$	\$
14	Memberships/Professional Dues	\$	\$	\$
15	Mileage and Parking	\$	\$	\$
16	Miscellaneous	\$	\$	\$
17	Office Equipment	\$	\$	\$
18	Postage	\$	\$	\$
19	Printing	\$	\$	\$
20	Publications and Subscriptions	\$	\$	\$
21	Staff Training	\$	\$	\$
22	Travel	\$	\$	\$
23	Other:	\$	\$	\$
24	Other:	\$	\$	\$
25	Other:	\$	\$	\$
26	Other:	\$	\$	\$
27	Other:	\$	\$	\$
28	Other:	\$	\$	\$
TOTAL ADMINISTRATIVE COSTS		\$	\$	\$

EXPENDITURE CATEGORIES		Total Project Expenses	CDBG Funding Request	HOME Funding Request
DIRECT PROJECT COSTS				
Project Soft Costs				
1	Financing Fees	\$	\$	\$
2	Origination Fees	\$	\$	\$
3	Credit Reports	\$	\$	\$
4	Title Reports	\$	\$	\$
5	Recordation Fees	\$	\$	\$
6	Legal Fees	\$	\$	\$
7	Appraisals	\$	\$	\$
8	Loan Processing Fees	\$	\$	\$
9	Marketing	\$	\$	\$
10	Design/Architectural/Engineering Fees	\$	\$	\$
11	Environmental Reviews	\$	\$	\$
12	2 nd Lien Gap Financing	\$	\$	\$
13	Down Payment Assistance	\$	\$	\$
14	Homebuyer Education/Counseling	\$	\$	\$
15	*Developer's Fee	\$		
16	*Project/Construction Management Fees	\$		
17	Other:	\$	\$	\$
18	Other:	\$	\$	\$
19	Other:	\$	\$	\$
20	Other:	\$	\$	\$
21	Other:	\$	\$	\$
22	Other:	\$	\$	\$
Project Hard Costs:				
23	Land/Site Acquisition	\$	\$	\$
24	Site Preparation/Demolition	\$	\$	\$
25	New Construction	\$	\$	\$
26	Rehabilitation	\$	\$	\$
27	Lead-based Paint Activities	\$	\$	\$
28	ADA Modifications	\$	\$	\$
29	Weatherization	\$	\$	\$
30	Other:	\$	\$	\$
31	Other:	\$	\$	\$
32	Other:	\$	\$	\$
33	Other:	\$	\$	\$
34	Other:	\$	\$	\$
35	Other:	\$	\$	\$
TOTAL DIRECT PROJECT COSTS		\$	\$	\$
TOTAL PROJECT EXPENDITURES				
		\$	\$	\$

*Ineligible for City of San Antonio funding

V. TIMELINE

A. Timeline Table - Identify each activity/task for the project in chronological order and enter the implementation timeline or projected completion date. Identify all key activities of the proposal. Starting Date may not be prior to October 1, 2010. The Completion Date should be identified as the date that all proposed activities are fully completed based on the scope of the project. Units are fully-completed as evidenced through the issuance of a Certificate of Occupancy or ready for move-in. Completion Date should be no later than September 30, 2012.

Activity/Task	Implementation Timeline/ Projected Completion Date
Project Start Date	
Project Completion Date	

VI. PROJECT SPECIFIC INFORMATION

Please choose only one category for your project.

If the project falls under this Category,	Go To Page
<u>Funding Category A</u>	
Improvement or development of neighborhood or public facilities.....	36
<u>Funding Category B</u>	
Expansion of economic development opportunities and anti-poverty activities.....	38

I. Funding Category A - Improvement or development of neighborhood or public facilities*Please check one of the following.*

1. Will the project be located inside the city limits of San Antonio?
☐ Yes ☐ No

2. Is your organization considered to be "faith-based?"
☐ Yes ☐ No

3. Do you own or have site control of the property to be improved?
☐ Yes ☐ No

If yes, provide copy of deed as Exhibit D-1.

4. Is there a current debt on the property?
☐ Yes ☐ No

If yes, what is the monthly payment? _____

5. Are the taxes current on the property?
☐ Yes ☐ No

*Please provide copy of tax payment history from the following website
https://actweb.acttax.com/act_webdev/bexar/index.jsp. Please attach as Exhibit D-2.*

6. Is the insurance current on the property?
☐ Yes ☐ No

If yes, please provide copy of current policy as Exhibit D-3.

7. Is the current zoning for the project appropriate?
☐ Yes ☐ No

8. Is the estimated cost of construction over \$2,000?
☐ Yes ☐ No

*If yes, please be aware that federal wage rates will apply. Please be sure that the included budget factors for this requirement.**Please check the type of facility being proposed. Please check only one.*

<input type="checkbox"/>	Senior Center	<input type="checkbox"/>	Street Improvement
<input type="checkbox"/>	Handicapped Center	<input type="checkbox"/>	Sidewalk
<input type="checkbox"/>	Homeless Facility	<input type="checkbox"/>	Child Care Center
<input type="checkbox"/>	Youth Center	<input type="checkbox"/>	Tree Planting
<input type="checkbox"/>	Neighborhood Facility	<input type="checkbox"/>	Fire Stations/Equipment
<input type="checkbox"/>	Parks, Recreational Facility	<input type="checkbox"/>	Health Facility
<input type="checkbox"/>	Parking Facility	<input type="checkbox"/>	Abused and Neglected Children Facility
<input type="checkbox"/>	Solid Waste Disposal Improvement	<input type="checkbox"/>	Asbestos Removal
<input type="checkbox"/>	Flood Drain Improvements	<input type="checkbox"/>	Facilities for AIDS Patients

<input type="checkbox"/>	Water/Sewer Improvements	<input type="checkbox"/>	Other
--------------------------	--------------------------	--------------------------	-------

If other, please explain:

- i. Will additional (non-CDBG, non-HOME) funds be required to maintain or operate the project once it has been completed?

☐ Yes ☐ No

If yes, please explain if you have secured this funding or how you will secure this funding?

- ii. Will there be additional phases of your project?

☐ Yes ☐ No

If yes, please explain.

STOP: Proceed to Part VII, Signature Page

II. Funding Category B - Expansion of economic development opportunities and anti-poverty activities

Please check one of the following.

1. Will the project be located inside the city limits of San Antonio?

☐ Yes ☐ No

2. Is your organization considered to be “faith-based?”

☐ Yes ☐ No

3. Do you own or have site control of the property to be improved?

☐ Yes ☐ No

If yes, provide copy of deed as Exhibit D-1.

4. Is there a current debt on the property?

☐ Yes ☐ No

If yes, what is the monthly payment? _____

5. Are the taxes current on the property?

☐ Yes ☐ No

Please provide copy of tax payment history from the following website

https://actweb.acttax.com/act_webdev/bexar/index.jsp. Please attach as Exhibit D-2.

6. Is the insurance current on the property?

☐ Yes ☐ No

If yes, please provide copy of current policy as Exhibit D-3.

7. Is the current zoning for the project appropriate?

☐ Yes ☐ No

8. Is the estimated cost of construction over \$2,000?

☐ Yes ☐ No

If yes, please be aware that federal wage rates will apply. Please be sure that the included budget factors for this requirement.

9. How many **temporary construction** jobs will result from this project? _____

10. How many **full time equivalent** jobs will be created as a result of this project being completed? _____

11. How many **low-moderate income persons** will benefit from either the goods or service provided by this activity? _____

Please note there are two (2) categories of economic development activities (A & B). One is designed for non-profits and the other is designed for profit-making businesses. Please choose only one.

A. Commercial/Industrial Improvements by Non-Profit for special economic development activities

Please check only one box if your agency is a non-profit.

☐ **Commercial/Industrial Land Acquisition/Disposition** - Check if project involves acquisition of land, clearing structures, or packaging commercial or industrial property for a special economic development activity, like creating an industrial park.

☐ **Commercial/Industrial Infrastructure Development** – Check if project involves street improvements, water improvements, parking additions, rail transport improvements, or other improvements to a site for a special economic development activity. This category may include installation of public improvements in an industrial site or construction of streets/roads to and through commercial/industrial areas.

☐ **Commercial/Industrial Building Acquisition, Construction, Rehabilitation** – Check if project involves construction, or rehabilitation of a commercial/industrial building for a special economic development activity.

☐ **Other Commercial/Industrial Improvements** – Check if commercial and industrial improvements will be undertaken for a special economic development activity that is not covered by any of the above.

B. Direct Economic Development Assistance to Private For-Profits for special economic development activities

Please check only one box if your agency is a private for-profit.

☐ **Rehabilitation: Publicly or Privately Owned Commercial/Industrial** – Check if the rehabilitation will be limited to improvements to the exterior of a commercial building (generally referred to as "facade improvements") or to the correction of code violations.

☐ **Direct Financial Assistance to For-Profit Business** – Check if financial assistance will be provided to for-profit business. Examples may include loans, loan guarantees, or grants to acquire property, clear structures, construct or rehabilitate a building, and/or purchase equipment.

☐ **Technical Assistance** – Check if technical assistance will be provided to for-profit business. This includes workshops, marketing, or referrals.

☐ **Micro-Enterprise Assistance** – Check if activity involves providing financial assistance, technical assistance, or general support services/programs to owners of and persons developing micro-enterprises. (A micro-enterprise is a business with five or fewer employees, including the owner(s).)

STOP: Proceed to Part VII, Signature Page

VII. SIGNATURE PAGE

The undersigned certifies that (s)he is _____ (title) of the Applicant entity named below; that (s)he is designated to sign this Application Form (if a Corporation or not-for-profit Corporation, then by resolution with Certified Copy of resolution attached) for and on behalf of the Applicant entity named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Application as required by the FY 2010-2011 Request for Applications for Program Funding (RFA), and has the requisite authority to execute an Agreement on behalf of Applicant, if awarded:

_____ Applicant Organization Name

_____ DBA Name (Required if Applicant is an Individual or Proprietorship)

Signature: _____

Printed Name: _____ Title: _____ Date: _____

By signature above, Applicant agrees/certifies that:

1. If this Application is approved for funding, Applicant will be able and willing to comply with the insurance and indemnification requirements set out in RFA Sections XI and XII.
2. If this Application is approved for funding, Applicant will adhere to all relevant Federal, State and local regulations, guidelines, policies, procedures and other assurances as required by the City.
3. The information provided in this application, to the best of the Applicant's knowledge, is true, complete and accurately describes the proposed project and if this Application is approved for funding, Applicant will be able and willing to comply with all representations made by Applicant in this Application and during the Application process.
4. If this Application is approved for funding, Applicant understands that the terms and conditions of the funding are subject to negotiation and are at the discretion of the Director of the Department.
5. Applicant has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of Application from consideration.
6. Applicant has fully and truthfully submitted an Applicant Questionnaire and understands that failure to fully disclose requested information may result in disqualification of application from consideration or termination of contract, once awarded.
7. Applicant will comply with the City's Ethics Code, particularly Section 2-61 that prohibits a person or entity seeking a City contract - or any other person acting on behalf of such a person or entity - from contacting City officials or their staff prior to the time such contract is posted as a City Council agenda item.
8. Applicant authorizes the release of project information to the City Department, from all financial partners listed in the Application and authorizes the Department to verify any Application information, including financial information, as required to complete its due diligence.
9. If this Application is approved for funding and the Applicant receives more than \$500,000 in Federal funding in a fiscal year, the Applicant will have a single independent audit performed at the cost of the Applicant for that corresponding Fiscal Year and that a complete copy of the completed independent audit will be submitted to the City within five (5) business days of it being made available to the Applicant.
10. In compliance with Texas Government Code Section 2264.051, certifies that Agency or a branch, division or department of Agency does not and will not knowingly employ an undocumented worker. If Agency is awarded funds under this Request for Application and is later convicted of violating 8 U.S.C. Section 1324a(f), Agency shall repay the full amount of funding with interest, at the highest non-usurious rate allowed by law, and notwithstanding any other term provided by its Contract with City, not later than the 120th day after the date the City notifies the Agency of the violation.

Acknowledgement of Prohibition regarding Campaign and Officeholder Contributions

I acknowledge that this contract has been designated a "high-profile" contract. I have read and understand the provisions regarding high profile contracts that appear on the cover page of this RFA.

VIII. LITIGATION DISCLOSURE FORM

Respond to each of the questions below by checking the appropriate box. Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Yes ☐ No ☐

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Yes ☐ No ☐

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Yes ☐ No ☐

If you have answered “Yes” to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

IX. City of San Antonio Discretionary Contracts Disclosure

Discretionary Contracts Disclosure Form may be downloaded at;

<https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.

Instructions for completing the Discretionary Contracts Disclosure form are listed below:

1. Download form and complete all fields. Note: All fields must be completed prior to submitting the form.
2. Click on the “Print” button and place the copy in Application response as indicated in the Application Checklist.